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Dig. § 457.\* 13 Va.-W. Va. Enc. Dig. 795; 15 Va.-W. Va. Enc. Dig. 1079.]

Appeal from Circuit Court, Westmoreland County.

Suit by Thomas R. King and others against B. R. Johnson and others. Decree for defendants, and plaintiffs appeal. Affirmed.

The statute of October, 1776, declared that, when created, estates tail should be converted into estates in fee simple, full and absolute.

*A. T. Embrey* and *Wm. W. Butzner*, both of Fredericksburg, for appellants.

*J. W. Chinn, Jr.*, of Warsaw, and *C. Harding Walker*, of Heathsville, for appellees.

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VIRGINIA RY. & POWER CO. *v.* GODSEY.

Jan. 12, 1915.

[83 S. E. 1072.]

**1. Carriers (§ 317\*)—Injuries to Passengers—Evidence.**—Rules of a carrier, not known to a passenger, are not admissible in an action for personal injuries as a basis for a claim of negligence.

[Ed. Note.—For other cases, see Carriers, Cent. Dig. §§ 1295, 1297-1305; Dec. Dig. § 317.\* 2 Va.-W. Va. Enc. Dig. 725.]

**2. Evidence (§ 589\*)—Weight and Sufficiency—Testimony of Party.**—Where a passenger testified to the manner in which she was thrown from the steps of a car, she was bound by her statements.

[Ed. Note.—For other cases, see Evidence, Cent. Dig. § 2438; Dec. Dig. § 589.\* 2 Va.-W. Va. Enc. Dig. 725.]

**3. Carriers (§ 305\*)—Carriage of Passengers—Negligence.**—Where plaintiff was on the step of defendant's car when it was started, and could have remained there in safety, had not her hold been broken by two men who pushed past her, the act of the men was an intervening cause, and the carrier, if negligent, was not liable for injuries plaintiff received in fall from the car.

[Ed. Note.—For other cases, see Carriers, Cent. Dig. §§ 1132, 1136-1139, 1245-1246; Dec. Dig. § 305.\* 2 Va.-W. Va. Enc. Dig. 700; 14 Va.-W. Va. Enc. Dig. 195; 15 Va.-W. Va. Enc. Dig. 159.]

Error to Hustings Court of City of Richmond.

Action by Mrs. L. O. Godsey against the Virginia Railway & Power Company. There was a judgment for plaintiff, and defendant brings error. Reversed and remanded.

*H. W. Anderson*, *A. B. Guigon*, and *Thos. P. Bryan*, all of Richmond, for plaintiff in error.

*John A. Lamb*, of Richmond, for defendant in error.

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\*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.